

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at KNOXVILLE

RICHARD CLAY MIHLFELD, )  
 )  
*Plaintiff*, ) Case No. 3:13-cv-556  
 )  
v. )  
 )  
COMMISSIONER OF SOCIAL SECURITY, ) Judge Mattice  
 ) Magistrate Judge Guyton  
 )  
*Defendant*. )  
 )

**ORDER**

On September 11, 2014, United States Magistrate Judge H. Bruce Guyton filed his Report and Recommendation (Doc. 15) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Guyton recommended that Plaintiff's Motion for Summary Judgment (Doc. 11) be denied and that Defendant's Motion for Summary Judgment (Doc. 12) be granted. (Doc. 15 at 21).

The parties have not filed objections to the Magistrate Judge's Report and Recommendation.<sup>1</sup> Nevertheless, the Court has reviewed *de novo* the record in this matter, and it agrees with the Magistrate Judge's well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Guyton's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b). Plaintiff's Motion for Summary Judgment (Doc. 11) is **DENIED**;

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<sup>1</sup> Magistrate Judge Guyton specifically advised the parties that they had 14 days in which to object to the Report and Recommendation and that failure to do so would waive the right to appeal the district court's order. (Doc. 15 at 21); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”).

Defendant's Motion for Summary Judgment (Doc. 12) is **GRANTED**; and the case is hereby **DISMISSED WITH PREJUDICE**.

**SO ORDERED** this 21st day of October, 2014.

*/s/ Harry S. Mattice, Jr.*  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE